

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- January 17, 1973

Application No. 11247 Sarah Thelma Kelly, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried by a vote of 3-1, (Mr. Hatton abstaining) the following Order of the Board was entered at the meeting of January 23, 1973.

ORDERED:

That the application of Sarah Thelma Kelly for variance from the off-street parking and lot occupancy requirements of the R-5-A District to permit erection of two (2) story additions to convalescent home at 1620 V Street, S. E., Lot 1024, Square 5777, be DENIED.

FINDINGS OF FACT:

1. The subject property is located in a R-5-A District.
2. At the present time the property is being utilized for a convalescent home and it is the applicant's proposal to add a basement and two stories to the rear of the existing building.
3. In order for the applicant to develop the facility she must first secure two variances from the Board: (a) variance for one off-street parking space pursuant to Section 7202.1, and (b) variance from lot occupancy. The permitted lot occupancy is 3,744 square feet, and the proposed lot occupancy will be 4,548 square feet. Forty percent (40%) lot occupancy is permitted in the R-5 District pursuant to Section 3301, and the proposed lot occupancy would be 48.6%.
4. To accommodate a forty (40) bed facility two off-street parking spaces are required; one of which can be provided.
5. There was no opposition registered at the public hearing as to the granting of this application nor were any letters in opposition filed.

OPINION:

The Board concludes that evidence of hardship warranting an area variance is lacking. Without this necessary showing of hardship, we are left with no alternative but to deny the application.

We are of the opinion that the appellant has not proved hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief cannot be GRANTED without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED

By: \_\_\_\_\_



ARTHUR B. HATTON

Acting Secretary

June 12, 1973